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WELSH STATUTORY INSTRUMENTS

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**2001 No. 1784 (W. 126)**

**EDUCATION, WALES**

**The Education (Nutritional Standards for  
School Lunches) (Wales) Regulations 2001**

*Made* - - - - *1st May 2001*

*Coming into force* - - *1st September 2001*

The National Assembly for Wales makes the following Regulations in exercise of the powers conferred on the Secretary of State by sections 114(1) and (4) and 138(7) of the School Standards and Framework Act 1998 (1) and now vested in the Assembly(2):

**Citation, commencement and application**

1.—(1) These Regulations may be cited as the Education (Nutritional Standards for School Lunches) (Wales) Regulations 2001 and shall come into force on 1st September 2001.

(2) These Regulations shall apply in relation to the provision of school lunches for registered pupils at schools maintained by local education authorities in Wales.

**Food groups**

2.—(1) For the purposes of these Regulations, food shall be divided into the following four groups—

- (A) **Fruit and vegetables.** These include fruit and vegetables in all forms (whether fresh, frozen, canned, dried or in the form of juice).
- (B) **Starchy foods.** These include bread, chapatis, pasta, noodles, rice, potatoes, millet, cornmeal and yams.
- (C) **Meat, fish and other non dairy sources of protein.** These include meat and fish in all forms (whether fresh, frozen, canned or dried) including meat or fish products, eggs, nuts pulses and beans, other than green beans.
- (D) **Milk and dairy foods.** These include milk, cheese, yoghurt (including frozen yoghurt and drinking yoghurt), fromage frais, milkshakes and custard.

(2) Margarine, butter, other spreading fats, cooking oils and fats, oil based salad dressings, mayonnaise, salad cream, cream, chocolate, crisps, biscuits, pastries, cakes, puddings, ice cream,

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(1) 1998 c. 31. For the meaning of “regulations” see section 142(1).

(2) The National Assembly for Wales (Transfer of Functions) Order 1999 (S.I.1999/627).

rich sauces, gravies, jam, sugary soft drinks, sweets, sugar and jelly shall not fall within any of the above food groups.

### **Nutritional requirements for children who attend nursery schools or nursery units in primary schools**

3. Each day food from each of the groups A, B, C and D shall be available as part of school lunches for registered pupils at nursery schools or nursery units in primary schools.

### **Nutritional requirements for pupils of compulsory school age at primary schools**

4.—(1) The requirements specified in paragraph (2) shall be complied with in the provision of school lunches for registered pupils at primary schools other than special schools.

(2) On each day food from each of the groups A, B, C and D shall be made available so that—

- (a) within group A,
  - (i) fresh fruit, fruit tinned in juice or fruit salad shall be available every day;
  - (ii) a fruit based dessert shall be available at least twice in any week;
  - (iii) a type of vegetable (which does not fall within group B) shall be available every day;
- (b) within group B, fat or oil shall not be used in the cooking process on more than two days in any week. The fat or oil used shall be of the polyunsaturated or monounsaturated variety;
- (c) within group C,
  - (i) fish shall be available at least one day in any week;
  - (ii) meat cuts shall be available on at least two days in any week.

(3) For the purposes of lunches for registered pupils at primary schools, sources of protein in group C can include dairy sources of protein.

### **Nutritional requirements for pupils at secondary schools**

5.—(1) The requirements specified in paragraph (2) shall be complied with in the provision of school lunches for registered pupils at secondary schools other than special schools.

(2) On each day two types of food from each of groups A, B, C and D shall be available so that:

- (a) within group A
  - (i) fresh fruit, fruit tinned in juice or fruit salad shall be available every day;
  - (ii) a fruit based dessert shall be available at least twice in any week;
  - (iii) two types of vegetable (which do not fall within group B) shall be available every day;
- (b) within group B, on every day that a food cooked in oil or fat is available a food not cooked in fat or oil shall also be available. The fat or oil used shall be of the polyunsaturated or monounsaturated variety;
- (c) within group C
  - (i) fish shall be available on at least two days in any week;
  - (ii) meat cuts shall be available on at least three days in any week.

### **Nutritional requirements for pupils at community and foundation special schools**

6. Either the requirements of Regulation 4 or Regulation 5 shall be complied with in the provision of school lunches for registered pupils at community or foundation special schools.

Signed on behalf of the National Assembly for Wales under section 66(1) of the Government of Wales Act 1998(3).

1st Mai 2001

*D. Elis-Thomas*  
The Presiding Officer of the National Assembly

**Status:** This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

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## **EXPLANATORY NOTE**

*(This note does not form part of the Regulations)*

These Regulations introduce nutritional standards for school lunches for registered pupils at maintained nursery schools, community, foundation and voluntary primary and secondary schools and community and foundation primary and secondary special schools.